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N.A., successor trustee to Bank of
America, N.A., successor to LaSalle
Bank, N.A., as trustee, on behalf of
the holders of the WaMu Mortgage
Pass-Through Certificates, Series
2006-AR16 Trust*

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

U.S. BANK N.A., SUCCESSOR
TRUSTEE TO BANK OF AMERICA,
N.A., SUCCESSOR TO LASALLE BANK,
N.A., AS TRUSTEE, ON BEHALF OF
THE HOLDERS OF THE WAMU
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-AR16
TRUST,

Plaintiff,

vs.

SFR INVESTMENTS POOL 1, LLC , a
Nevada limited liability company;
CANYON GATE MASTER
ASSOCIATION, a Nevada non-profit
corporation,

Defendants.

SFR INVESTMENTS POOL 1, LLC, a
Nevada limited liability company,

Counter/Cross-Claimant,

vs.

Case No. 2:16-cv-02712-RFB-CWH

**STIPULATION AND ORDER TO
AMEND DISCOVERY PLAN AND
SCHEDULING ORDER TO EXTEND
DISPOSITIVE MOTIONS DEADLINE**

(FIRST REQUEST)

U.S. BANK N.A., SUCCESSOR
TRUSTEE TO BANK OF AMERICA,
N.A., SUCCESSOR TO LASALLE BANK,
N.A.,
AS TRUSTEE, ON BEHALF OF THE
HOLDERS OF THE WAMU
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-AR16
TRUST; THE MIDORA TRUST FUND,
DAHN MIDORA, TRUSTEE OF THE
TRUST; and JPMORGAN CHASE
BANK, N.A., SUCCESSOR IN
INTEREST BY PURCHASE FROM THE
FEDERAL DEPOSIT INSURANCE
CORPORATION AS RECEIVER OF
WASHINGTON MUTUAL BANK F/K/A
WASHINGTON MUTUAL BANK FA,

Counter/Cross-Defendants.

Pursuant to Local Rule 26-4 and the Court's November 2, 2017 order (ECF No. 56), Plaintiff U.S. Bank N.A., successor trustee to Bank of America, N.A., successor to LaSalle Bank, N.A., as trustee, on behalf of the holders of the WaMu Mortgage Pass-Through Certificates, Series 2006-AR16 Trust ("U.S. Bank"), Defendant/Counterclaimant/Cross-Claimant SFR Investments Pool 1, LLC ("SFR"), and Defendant Canyon Gate Master Association ("Canyon Gate") (collectively, the "Parties") by and through their respective counsel of record, hereby agree and respectfully submit this stipulation as follows:

Stipulated Amendment of Scheduling Order

1. Statement of Discovery Completed

Discovery closed in this matter on July 31, 2017. Due to outstanding discovery disputes between the parties, U.S. Bank filed motions to extend the discovery deadline and to compel production of documents by Canyon Gate. The Court heard these motions on November 2, 2017, and granted U.S. Bank's motion to compel. [ECF No. 56.] The Court ordered Canyon Gate to produce the requested documents within two weeks, and ordered the parties to conduct a deposition of third-party Kirby Gruchow by no later than January 2, 2018. [*Id.*] The Court

1 ordered dispositive motions to be filed thirty days after the completion of the
2 deposition of Mr. Gruchow. [*Id.*]

3 Canyon Gate produced approximately 1000 pages of documents on December
4 20, 2017. U.S. Bank conducted a deposition of Kirby Gruchow on January 2, 2018.
5 Accordingly, pursuant to the Court's November 2, 2017 order, the remaining
6 deadlines are as follows:

7 (a) Dispositive Motions: August February 1, 2018.

8 (b) Pretrial Order: March 5, 2018 (suspended upon the filing of dispositive
9 motions until 30 days after decision on any dispositive motions).

10 Accordingly, all discovery has been completed in this matter.

11 **2. Discovery that Remains to be Completed**

12 Discovery has been completed, and the parties seek only additional time to
13 prepare dispositive motions.

14 **3. The Reasons Why Remaining Discovery Was Not Completed**

15 The parties request additional time to prepare dispositive motions due to the
16 substantial amount of additional discovery that was produced by Canyon Gate
17 shortly before the deposition deadline for Mr. Gruchow. U.S. Bank received the
18 deposition transcript for Mr. Gruchow on January 12, 2018, and requires additional
19 time to review the documents produced by Canyon Gate in light of the deposition of
20 its agent, Mr. Gruchow. Additionally, counsel for U.S. Bank is currently in trial in
21 Nevada state court which is scheduled through February 2, 2018 in Case No. A-13-
22 691690-C. The parties have also had some additional settlement discussions,
23 although no agreement has been reached.

24 **4. Proposed Discovery Schedule**

25 The Parties stipulate and agree to the following proposed new deadlines:

26 (a) Dispositive Motions: Monday, February 5, 2018

27 (b) Pretrial Order: Wednesday, March 7, 2018 (suspended upon the filing
28 of dispositive motions until 30 days after decision on any dispositive motions).

5. Trial

No trial date has been set in this matter.

Respectfully submitted this 30th day of January, 2018.

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IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: February 1, 2018